

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION**

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	
)	
v.)	No. 4:00-CR-0015 CAS
)	
KENNETH HOWARD,)	
)	
Defendant.)	

ORDER

This closed criminal matter is before the Court on defendant Kenneth Howard’s “Motion for Investigatory Interrogation and Inferential Pleading.” The motion states in part that defendant wishes to have another inmate assist him in research for a possible motion pursuant to 28 U.S.C. § 2255 to challenge his sentence. The prayer for relief states, “[D]efendant pray’s [sic] that this Honorable Court issues an order allowing an Investigatory Interrogation and/or Inferential pleading so it wouldn’t be any jactitation [sic] before this court. Its [sic] so prayed.”

To the extent defendant is seeking the Court’s permission to obtain inmate assistance with preparation of a motion under 28 U.S.C. § 2255, the motion will be denied. The Court has already determined that a § 2255 motion filed by defendant would be untimely, as defendant’s conviction became final on August 1, 2000 and he had one year thereafter in which to file a § 2255 motion. See Mem. and Order of June 20, 2005 (citing 28 U.S.C. § 2255).

Accordingly,

IT IS HEREBY ORDERED that defendant's "Motion for Investigatory Interrogation and Inferential Pleading" is **DENIED**. [Doc. 59]

A handwritten signature in black ink, appearing to read "Charles A. Shaw", is written over a horizontal line.

CHARLES A. SHAW
UNITED STATES DISTRICT JUDGE

Dated this 27th day of October, 2005.